

PLANNING COMMISSION MINUTES

Gardner, Kansas

Monday, February 12, 2007

The Planning Commission met in regular session on the above date at the Gardner City Hall, 120 E. Main Street, Gardner, Kansas.

I. Call to Order

Chairman Stephen Koranda called the meeting to order at 7:03 p.m. Commissioners present: Paul Kilgore, Greg Godwin, Eileen Mertz (7:06), Eric Schultz, Jason Burnett, and Dan Popp. Commissioners absent: none. Also present: Community Development Director Fred Sherman; Planner Erik Pollom; engineer for an applicant Joel Riggs of Peridian Group, Inc.; Joe Campbell of Timber Creek Land Company; Andy Schlagel, planning consultant for Timber Creek Land Company; and two interested citizens.

II. Approval of Minutes

The minutes of the January 22, 2007, meeting, were approved by unanimous consent.

III. Consent Items

Commissioner Popp requested that Item No. 2, FDP-07-01, be removed from the Consent Agenda.

1. SP-07-01

Consider a site plan for the Fairfield Subdivision Pool, a private recreational facility located at 18301 Butternut Street. The application is filed by Tollefson Development, Inc., with engineering services provided by Olsson Associates.

1. **APPLICANT:** The applicant is Tollefson Development, Inc., with engineering services provided by Olsson Associates.
2. **REQUESTED ACTION:** The applicant requests approval of a site plan for construction of a private pool facility on .42 acres for the Fairfield subdivision.
3. **LOCATION:** The subject property is located at 18301 Butternut Street.
4. **EXISTING ZONING:** The property is currently zoned R-1, Single Family Residential District.
5. **STAFF ANALYSIS:** The site plan is for improvements of two platted lots to provide a private subdivision pool with on-site parking. The lots are located at the entrance to the Fairfield subdivision, immediately south of 183rd Street. The submitted site plan indicates that eight off-street parking spaces will be provided for this private recreational facility. Bathrooms will be provided in the pool house. The plan meets City requirements for setbacks, building design and landscaping.
Building Design
The proposed building features roughly a 50% mix of stone veneer and cement lap siding, with a pitched composite shingle roof. The colors are proposed to be earth tones to compliment the nearby single family housing (shades of gray and tan/beige).
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Site Plan for the Fairfield Subdivision Pool, a private facility (SP-07-01), subject to the following condition:
 - a. The development shall be in accordance with Exhibit "A" (Site Plan) and Exhibit "B" (Building Elevations) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.

Motion Popp, second Kilgore, to approve the Site Plan for the Fairfield Subdivision Pool (SP-07-01), subject to staff recommendations:

- a. The development shall be in accordance with Exhibit "A" (Site Plan) and Exhibit "B" (Building Elevations) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.

Motion to Table Carried: 7 to 0 Aye

IV. Agenda Items

(2) FDP-07-01

Consider a Final Development Plan for University Park Addition No. 2, the 64 unit first phase of a two-family residential development located ½ mile northwest of the 167th Street/Moonlight Road intersection. The application is filed by UP, L.L.C.; with engineering services provided by Peridian Group, Inc.

Planner Pollom presented the staff report.

1. **APPLICANT:** The applicant is U.P., L.L.C.; with engineering services provided by Peridian Group, Inc.
2. **REQUESTED ACTION:** The applicant requests approval of a final development plan for a tract of land containing approximately 10 acres for planned two-family residential development.
3. **LOCATION:** The property is located ½ mile northwest of the 167th Street and Moonlight Road intersection.
4. **EXISTING ZONING:** The property is zoned RP-2, Planned Two Family Residential District (Z-03-20).
5. **ANALYSIS:** The applicant requests approval of a final development plan for 32 lots containing 64 units, the first phase of the University Park duplex development. This phase adheres to the layout of lots and streets shown in the approved preliminary development plan (PDP-03-04), which contains a total of 132 lots (264 units) for duplex development.

Landscaping

Approval of the preliminary development plan for this property was given with the stipulation that a landscape plan be submitted with special attention given to the streetscape of University Drive. To fulfill that requirement, this final development plan features a plan for landscaping along University Drive. Attention is given to those portions of the street frontage that are immediately across from access points approved with the final development plan for the property to the west (University Park Multi-family, FDP-06-04). The alignment for the multi-family private drive is directly across from Lot 3 of this final development plan.

This plan also features a three-lot landscape detail, showing the typical landscaping proposed for a three-lot stretch of development adjacent to University Drive. In addition to the trees shown, there are landscape berms with clusters of bushes and decorative grasses. These berms are planned to occur once every three lots. This differs from the approved landscaping across the street in that the west side of the street will have fairly continuous berming. Both plans feature common species of trees and shrubs to create an appearance of consistency and coordination on both sides of University Drive. The quantity of street trees meets, but does not exceed, the City's requirements.

Architectural Elements

The applicant has submitted architectural details that include five variations for front elevations on two standard building plans. The silhouette of all five elevations is the same, with the primary differences being in the styles of the composite shingle roofs over the garage doors and the varied placements of stone and stucco. A typical side elevation is

shown for both types of plan, and a separate rear elevation is provided for each. Both the side and rear elevations are proposed to be covered entirely with vinyl siding.

During discussion of the rezoning for this property at the July 28, 2003, Planning Commission meeting, the quality of the duplex development was described. The minutes for that meeting contain the following:

Joel Riggs, engineer for the applicant, gave a presentation. He discussed the developer's plans for the development, including:

- the majority of the dwelling units would be owner occupied;
- the development would be governed by a homeowners association;
- it would be a maintenance-provided community;
- no more than fifty percent of the duplexes would be mirrored designs; and
- it would be a high-end type of development.

This phase of the development is most visible from University Drive, making the side and rear elevations of the proposed duplexes as important as the front elevations. Staff questions the desirability of allowing the side and rear elevations to be comprised entirely of vinyl siding, thus detracting from the effort to improve the streetscape through additional landscaping. It also falls short of qualifying as what is commonly considered "high-end" development, which was declared with the approval of the zoning. It is staff's recommendation that both the side and rear elevations feature masonry materials to match the front elevations and to compliment the increased landscaping along University Drive.

6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Development Plan for University Park Addition No. 2 (FDP-07-01) with the following stipulations:
 - a. The development shall be in accordance with Exhibit "A" (Final Development Plan), and Exhibit "B" (Building Elevations) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
 - b. Prior to approval of construction plans, the applicant shall submit revised architectural elevations to staff that include the use of masonry materials on all four sides of the proposed duplexes.
 - c. The applicant acknowledges that the size of the storm water detention basin in the approved multi-family development to the west may require modifications, based upon a pending Public Works review of the submitted storm water study, to accommodate the duplexes proposed with this final development plan.

Chairman Koranda invited questions from the commissioners.

Commissioner Popp asked if there would be berming and landscaping along the east side of University Drive. Planner Pollom pointed out the proposed placements of the berms and landscape plants, and the design constraints caused by existing utility easements. He explained staff's recommendation to require submittal to and approval by staff of revised elevations utilizing masonry elements on the rear elevations of the buildings prior to building permit issuance.

Commissioner Godwin asked if a subdivision fence plan would be submitted or if the homeowners association covenants addressed any fence issues. Planner Pollom stated that, to his knowledge, fencing had not been addressed in any form. Commissioner Godwin expressed his concerns about the possible streetscape appearance along University Drive if multiple styles and materials of fences were allowed to be built by the individual unit owners.

Chairman Koranda invited comments from the applicant.

Engineer for the applicant Joel Riggs of Peridian Group, Inc., stated several issues and objections for the record:

- the units would be owner occupied and the homeowner covenants would only allow wood fencing, and the developer did not want to construct subdivision fencing;
- the approved preliminary development plan only stipulated masonry on 25% of the front elevations, with no mention ever made regarding masonry on the rear or side elevations;
- for that reason the applicant objected to staff's recommended stipulation of approval B, which would require masonry materials on all four sides of the buildings;
- he objected to staff's recommended stipulation of approval C because the preliminary development plan and plat were approved prior to the new stormwater regulations, which could possibly change some of the previously approved plans and criteria; and
- the existing utility easements restricted the placement of berms and landscaping to what was proposed in the subject plan.

Commissioner Popp and Mr. Riggs discussed stormwater detention responsibilities and liabilities. Mr. Riggs stated that, while he did not agree with City staff's new stormwater criteria, he would work with staff as necessary to meet all of the City's requirements.

Commissioner Popp agreed with the stipulation requiring the additional masonry on the rear elevations, and some sort of additional architectural features on the side elevations, and stated a desire to have a more appealing streetscape along University Drive.

Mr. Riggs pointed out that there were no architectural standards for duplexes at the time of the preliminary development plan approval, and that was why the architectural design team did not utilize masonry on the rear or side elevations.

Director Sherman briefly discussed the history and process of the associated preliminary development plan and plat.

Commissioner Godwin stated that a subdivision fence plan requiring privacy fencing along University Drive, the major appearance concern of the commission, would eliminate a need for masonry on the rear and side elevations of the buildings.

Commissioner Popp agreed that a fence plan would eliminate the need for rear elevation masonry, leaving only the need for masonry on the side elevations of the corner lots.

Mr. Riggs stated that the applicant would prefer to utilize masonry on the units rather than fencing, because the multiple easements in the rear lots along University Drive would create fenced backyards almost too small for reasonable uses by the property owners.

Commissioner Mertz stated that the units along University Drive should have masonry elements on the rear elevations and the side elevations of the corner lots.

Mr. Riggs asked if 25 percent masonry coverage on the front and rear elevations would meet the commission's requirements. The commissioners agreed that it would.

The commissioners and Director Sherman discussed the stipulations of approval.

Motion Mertz, second Burnett, to approve the Final Development Plan for University Park Addition No. 2 (FDP-07-01), subject to staff recommendations, revising one stipulation, and adding one additional condition of approval:

- a. The development shall be in accordance with Exhibit "A" (Final Development Plan), and Exhibit "B" (Building Elevations) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
- b. Prior to approval of construction plans, the applicant shall submit revised architectural elevations to staff that include the use of masonry materials to provide coverage of at least 25 percent of the front and of the rear elevations of all duplexes along University Drive; and of the side elevations of the corner lots at the intersections of 164th Street and University Drive and Gretna Street and University Drive.
- c. The applicant acknowledges that the size of the storm water detention basin in the approved multi-family development to the west may require modifications, based upon a pending Public Works review of the submitted storm water study, to accommodate the duplexes proposed with this final development plan.
- d. Any fencing allowed by the homeowners association along University Drive shall be consistent in height, setbacks, and material type and design.

Motion to Approve Carried: 7 to 0 Aye

V. Discussion

1. Commercial Development

Discuss development issues and criteria for commercial growth in the developing northwest area of the City.

Director Sherman displayed and discussed current commercially zoned locations.

Andy Schlagel, consultant for Timber Creek Land Company, gave a presentation on the development plans for Auburn Hills, located on the northwest corner of the Gardner Road and 167th Street intersection.

Director Sherman and the commissioners discussed possible commercial development locations in the northwest area of Gardner.

2. Single Family and Multi-Family Development

Discuss City wide single family to multi-family development ratios.

Director Sherman displayed and discussed single family and multi-family residential statistics for Gardner and Johnson County, and the ratios of single family to multi-family residential units.

VI. Adjourn

Motion Popp, second Mertz, to adjourn the meeting at 9:35 p.m.

Motion to Adjourn Carried: 7 to 0 Aye

Cindy Weeks, Planning Service Specialist
Community Development Department

ATTENDEES
of the
2-12, 2007
PLANNING COMMISSION MEETING

PLEASE SIGN

PLEASE PRINT

NAME	COMPANY (if applicable)	ADDRESS
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